

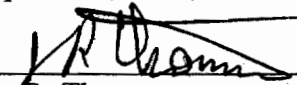
I claim \$4,240.88, together with accrued interest at a rate to be determined

by the Court, of the \$43,650,000 which was transferred to the United States in this matter. This claim is based on the fact that account holders of the BetonSports companies, including petitioner, have a right which is vested, and is superior to the United States, because those account holders are bonafide legal and equitable creditors of the Kaplan/BetonSports companies.

This claim is further based on the existence of a constructive trust which holds the Kaplan funds, this constructive trust being necessary to prevent the unjust enrichment of the United States at the expense of creditors of Kaplan and the BetonSports umbrella companies.

This claim is further based on the maxim that "equity abhors a forfeiture", as it would be inequitable and unjust for the account holders of the Kaplan companies to be deprived of their funds, with the United states being unjustly enriched by that forfeiture.

The above is true and correct. Executed under penalty of perjury this 15th day of September, 2009, in Berkeley, California.


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Proof of service. Copies mailed to:

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